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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/108,357	07/01/1998	MASAO SUGATA	1232-4450	9224

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EXAMINER	
NGUYEN, TOAN D	
ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

TT

Office Action Summary	Application No.	Applicant(s)	
	09/108,357	SUGATA ET AL.	
	Examiner	Art Unit	
	Toan D Nguyen	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 February 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *32-34 and 40* is/are allowed.

6)☒ Claim(s) *1-31,35-39 and 41-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 4-8, 10-11 and 18-19 are rejected under U.S.C. 103(a) as being unpatentable over Murakami et al. (U.S. Patent Re. 35,104) in view of Odaka (U.S. Patent 5,172,380) further in view of Brim (U.S. Patent 5,835,914).

For claims 1, 4-8, 10-11 and 18-19, Murakami et al. disclose subrate multi-media data transmission system, comprising:

a) encoding means for error detection or correction encoding information to be distributed in a description format used in a multimedia network (figure 1, col. 5 line 34),

b) transmission means for multiplexing the information to be distributed encoded by said encoding means in a broadcast signal, and transmitting the multiplexed signal (figure 1, col. 5 lines 46-48).

Murakami et al. do not disclose said encoding means error detection or correction encoding at least a portion in a header in the information to be distributed with higher redundancy than an entity in the information to be distributed, wherein the information to be distributed is information of a Markup language format.

In an analogous art, Odaka discloses at least a portion in a header in the information to be distributed with higher redundancy than an entity in the information to be distributed (col. 12 lines 46-60). One skilled in the art would have recognized an error detection or correction encoding at least a portion in a header in the information to be distributed with higher redundancy than an entity in the information to be distributed to use teaching of Odaka in the system of Murakami et al. Therefore, it would have been obvious to one of ordinary skill in the art at the time invention, to use the error detection or correction encoding at least a portion in a header in the information to be distributed with higher redundancy than an entity in the information to be distributed as taught by Odaka in Murakami et al.'s system with the motivation being to provide a reproduction device can distinguish a block of data in which the first data is contained as auxiliary data from a block of data in which the second data is contained as auxiliary data (col. 12 lines 56-60).

However, Murakami et al. in view of Odaka do not disclose wherein the information to be distributed is information of a Markup language format. In an analogous art, Brim discloses a Markup language format (col. 4 lines 11-15). One skilled in the art would have recognized a

Markup language format to use the teachings of Brim in the system of Murakami et al. Therefore, it would have been obvious to one of ordinary skill in the art at the time invention, to use the Markup language format as taught by Brim in Murakami et al.'s with the motivation being to provide document formatting information along with text (col. 4 lines 16-17).

3. Claims 2-3, 9, 22-31, 35-39 and 41 are rejected under U.S.C. 103(a) as being unpatentable over Murakami et al. (U.S. Patent Re. 35,104) in view of Engelbrecht et al. (U.S. Patent 5,912,917) further in view of Brim (U.S. Patent 5,835,914).

For claims 22-27, 29, 31, 35-39 and 41, Murakami et al. disclose subrate multi-media data transmission system, comprising:

b) processing means for performing error correction or detection processing of the information to be distributed using the error correction check code and the error correction or detection check code (figure 1, col. 5 lines 51-55).

a) Murakami et al. do not disclose reception means for receiving a broadcast signal obtained by multiplexing information to be distributed in a description format used in a multimedia network and an error correction or detection check code added for at least partial information of the information to be distributed, as an entity of a data format which is used for multiplexing predetermined information in an FM audio signal and includes an error correction check code, wherein the information to be distributed is information of a Markup language format.

In an analogous art, Engelbrecht et al. disclose reception means for receiving a broadcast signal obtained by multiplexing information to be distributed in a description format used in a multimedia network (figure 27, col. 13 lines 35-41) and an error correction or detection check

code added for at least partial information of the information to be distributed, as an entity of a data format which is used for multiplexing predetermined information in an FM audio signal and includes an error correction check code (col. 14 lines 2-9). Engelbrecht et al. further disclose said processing means executing processing based on the error correction check code and processing based on the error correction or detection check code at different timings (col. 13 lines 36-48). One skilled in the art would have recognized a reception means for receiving a broadcast signal to use teaching of Engelbrecht et al. in the system of Murakami et al. Therefore it would have been obvious to one of ordinary skill in the art at the time invention, to use the reception means for receiving a broadcast signal as taught by Engelbrecht et al. in Murakami et al.'s system with the motivation being to provide a broadcast system such that a mobile receiver traveling between edges of reception of two or more low power range extension radio broadcast station does not evidence interference therebetween (Abstract lines 21-24).

However, Murakami et al. in view of Engelbrecht et al. do not disclose wherein the information to be distributed is information of a Markup language format. In an analogous art, Brim discloses a Markup language format (col. 4 lines 11-15). One skilled in the art would have recognized a Markup language format to use the teachings of Brim in the system of Murakami et al. Therefore, it would have been obvious to one of ordinary skill in the art at the time invention, to use the Markup language format as taught by Brim in Murakami et al.'s with the motivation being to provide document formatting information along with text (col. 4 lines 16-17).

For claims 2-3 and 9, Engelbrecht et al. disclose the broadcast signal is an FM audio signal, and said transmission means frequency-multiplexes the information to be distributed in a

frequency band different from an FM-modulated audio signal (figures 7 and 27, col. 5 lines 21-41).

For claims 28 and 30, Engelbrecht et al. in view of Murakami et al. disclose further storage means for storing the information to be distributed, and informing means for informing that the received information to be distributed is stored in said storage means and has not been output to an external device (figure 27).

4. Claims 12-17, 20-21 and 42-48 are rejected under U.S.C. 103(a) as being unpatentable over Murakami et al. (U.S. Patent Re. 35,104) in view of Hunsinger et al. (U.S. Patent 5,956,624) further in view of Brim (U.S. Patent 5,835,914).

For claims 12-17, 20-21 and 44-46, Murakami et al disclose subrate multi-media data transmission system, comprising:

encoding means for error detection or correction encoding information to be distributed in a description format used in a multimedia network, wherein the information to be distributed is information of a Markup language format (figure 1, col. 5 line 34),

transmission means for multiplexing the information to be distributed encoded by said encoding means in a broadcast signal, and transmitting the multiplexed signal (figure 1, col. 5 lines 46-48).

Murakami et al. do not disclose a plurality of kinds of information being able to be transmitted as an entity in the information to be distributed, and said encoding means using different error detection or correction ability in correspondence with the kind of information. In an analogous art, Hunsinger et al. disclose a plurality of kinds of information being able to be transmitted as an entity in the information to be distributed, and said encoding means using

different error detection or correction ability in correspondence with the kind of information (col. 11 lines 30-51). In claims 15-16, 21 and 44-45, Hunsinger et al. further disclose a header of the information to be distributed forming an error correction code different from the error correction code (col. 11 lines 17-21).

One skilled in the art would have recognized an error correction encoder to use teaching of Hunsinger et al. in the system of Murakami et al. Therefore, it would have been obvious to one of ordinary skill in the art at the time invention, to use the error correction encoder as taught by Hunsinger et al. in Murakami et al.'s system with the motivation being to protect the audio signal (col. 11 lines 32-43).

However, Murakami et al. in view of Hunsinger et al. do not disclose wherein the information to be distributed is information of a Markup language format. In an analogous art, Brim discloses a Markup language format (col. 4 lines 11-15). One skilled in the art would have recognized a Markup language format to use the teachings of Brim in the system of Murakami et al. Therefore, it would have been obvious to one of ordinary skill in the art at the time invention, to use the Markup language format as taught by Brim in Murakami et al.'s with the motivation being to provide document formatting information along with text (col. 4 lines 16-17).

For claims 42-43 and 47-48, Murakami et al. in view of Hunsinger et al. disclose information processing apparatus comprising:

a) input means for inputting information data, and a check code for correcting an error of the information data (figure 1, col. 5 lines 32-44);

b) detection means for detecting an error state of the information data (col. 6 lines 52-55); and

d) control means for controlling processing for the information data input by said input means in accordance with outputs from said setting means and said detection means (col. 7 lines 15-22).

Hunsinger et al. in view of Murakami et al. disclose setting means for setting an allowable error state of the information data (col. 11 lines 21-27).

5. Claims 32-34 and 40 are allowed.

Allowable Subject Matter

6. The following is an examiner's statement of reasons for allowance:

Regarding to claim 32, none of the available prior art teaches or suggests:

display means for displaying the first character information, said display means displaying second character information when the information to be distributed has the second character information, in the specific combination as recited in claim 32.

Regarding to claim 40, none of the available prior art teaches or suggests:

displaying second character information using display means for displaying the first character information when the information to be distributed has a second character information, in the specific combination as recited in claim 40.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D Nguyen whose telephone number is 703-305-0140. The examiner can normally be reached on Monday- Friday (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 703-308-6602. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

TN
T.N.

ALPUS H. HSU
PRIMARY EXAMINER